

IN THE DISTRICT COURT OF HASKELL COUNTY

Filed in the Office  
of COURT CLERK  
TASSELL, COUNTY, OKLA.

STATE OF OKLAHOMA

FEB 12 2019

BOBBY RYAN BRAY,

Plaintiff,

VS.

STATE OF OKLAHOMA, ex rel.  
Department of Public Safety and  
Oklahoma Highway Patrol; and  
DANIEL EATON,

Defendants.

**TINA OAKS, Court Clerk**

Deputy

CASE NO. CJ-2019-06

# P E T I T I O N

**COMES NOW** the Plaintiff, Bobby Ryan Bray, by and through his attorney undersigned and for cause of action against the Defendants he alleges and states as follows:

1. Plaintiff is a resident of Haskell County, Oklahoma. Defendant, Daniel Eaton, is a resident of Haskell County, Oklahoma and may be served herein. The events complained of occurred in Haskell County, Oklahoma.

2. On or about the 28<sup>th</sup> day of May, 2013 the Plaintiff was arrested by Defendant, Trooper Daniel Eaton, with the Oklahoma Highway Patrol for operating a motor vehicle while license was suspended or canceled. Charges were thereafter filed in the District Court of Haskell County in Case No. CM-2013-84. Defendant was forced to hire a lawyer and on October 23, 2013 received a deferred sentence and paid fines and costs totaling \$550.88.

3. Thereafter on May 18, 2018 Plaintiff was again arrested on a 2013 warrant from the District Court of Adair County, Oklahoma in Case No. TR-

2013-284 for the same, exact charge of driving under suspension and arising from the same arrest made by Defendant Daniel Eaton on May 28, 2013. Plaintiff was incarcerated in the Haskell County Jail from Saturday afternoon until Monday morning when he posted a bond in the approximate amount of \$400.

4. The District Court of Adair County eventually dismissed charges and refunded him his bond monies and entered the order attached hereto as Exhibit "A" reciting that the charges should have never been filed in Adair County.

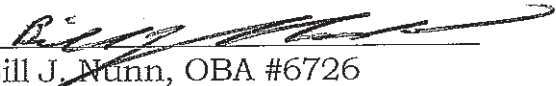
5. Obviously, the same exact charges were filed in both Haskell County and Adair County. The actions of Defendant Daniel Eaton and the Oklahoma Highway Patrol were malicious and beyond the scope of his duties with the Oklahoma Highway Patrol and have been the proximate cause of false imprisonment, false arrest and a deprivation of Plaintiff's civil rights resulting in a deprivation of liberty, great mental pain and anguish, loss of reputation, court costs, attorneys fees and other costs and ultimately resulted in Plaintiff losing a job opportunity causing him financial losses.

6. The actions of the Defendants were malicious and grossly negligent and as such Defendants should be punished by way of exemplary damages in an amount in excess of \$75,000.00.

WHEREFORE, premises considered, Plaintiff prays that he be awarded compensatory damages including damages for false arrest, false imprisonment and deprivation of civil rights in an amount in excess of \$75,000.00 together

with punitive or exemplary damages in an amount in excess of \$75,000.00 together with attorneys fees, costs and such other and further relief as may be just and equitable.

Respectfully Submitted,

By:   
Bill J. Nunn, OBA #6726  
105 East Main Street  
Stigler, OK 74462  
918/967-3131 – Telephone  
918/967-3373 – Facsimile  
ATTORNEY FOR PLAINTIFF

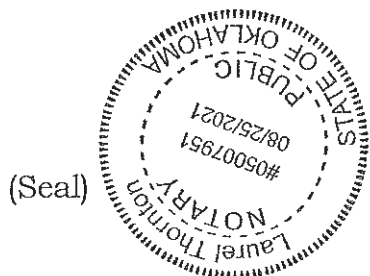
VERIFICATION

STATE OF **OKLAHOMA** )  
 ) ss:  
COUNTY OF **HASKELL** )

I, Bobby Bray, of lawful age and being first duly sworn upon oath, depose and state: that I am the Plaintiff above named; that I have read the above and foregoing **Petition** and the information contained therein is true and correct to the best of my knowledge and belief.

Bobby Bray  
BOBBY BRAY, Plaintiff

Subscribed and sworn to before me this 7<sup>th</sup> day of Feb., 2019.



My Commission Expires:

8-25-21

Laurel Thornton  
Notary Public

My Commission Number:

05007951